

FILED

OCT 09 2018

Clerk, U.S. District Court
District Of Montana
Helena

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

BUTTE DIVISION

ALYCE SMITH,

Plaintiff,

No. CV 18-52-BU-SEH

vs.

JO-ANN STORES, LLC,

ORDER

Defendants.

Defendant Jo-Ann Stores, LLC removed this case on diversity grounds from Montana Second Judicial District Court, Silver Bow County.¹ On September 13, 2018, Plaintiff moved to remand, unequivocally stating that the recovery sought is less than \$75,000.²

A hearing on the motion was held on October 9, 2018.

¹ Doc. 1.

² Doc. 8 at 2.

Federal court jurisdiction under 28 U.S.C. § 1332 requires both complete diversity of citizenship and amount in controversy exceeding \$75,000, exclusive of interest and costs. The required amount in controversy is not claimed.

Upon the record made in open court,

ORDERED:

This case is hereby REMANDED to state court.

DATED this 9th day of October, 2018.


SAM E. HADDON
United States District Judge